

1 THE HONORABLE JOHN C. COUGHENOUR
2
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MARC R. REMENAR,

11 Petitioner,
12 v.
13

The Office of DANA SCARP, Attorney
14 Admission Clerk for the United States
15 District Court for the District of Western
Washington at Seattle,

16 Respondent.

CASE NO. C15-1892-JCC

MINUTE ORDER

17 The following Minute Order is made by direction of the Court, the Honorable John C.
18 Coughenour, United States District Judge:

19 This matter comes before the Court on Petitioner's motion for relief from judgment or
20 order under Fed. R. Civ. P. 60 (Dkt. No. 16). Petitioner alleges 10 grounds upon which he
21 argues this Court's order denying a writ of mandamus should be found void. (*See* Dkt. No. 16 at
22 1 -10.) However, this filing follows the mandate of the Ninth Circuit Court of Appeals affirming
23 the Court's order. Once a notice of appeal is filed, the district court loses jurisdiction. *Griggs v.*
24 *Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is
25 an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests
26 the district court of its control over those aspects of the case involved in the appeal.").

1 Here, not only was a notice of appeal filed, but the Court of Appeals issued a final
2 decision. (See Dkt. No. 15.) This Court no longer has the authority to hear Petitioner’s Rule 60
3 motion. *See Matter of Combined Metals Reduction Co.*, 557 F.2d 179, (9th Cir. 1977) (“[A]fter a
4 notice of appeal is timely filed, the district court has no power to vacate the judgment[.]”). The
5 Clerk is DIRECTED to terminate the motion (Dkt. No. 16).

6 DATED this 7th day of March 2017.

William M. McCool
Clerk of Court

s/Paula McNabb
Deputy Clerk